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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,)
12 Plaintiff,) CR. S-04-0437 LKK
13) ORDER FOLLOWING STATUS
14 v.) CONFERENCE
15 ALFONSO ESQUIVEL-VALENCIA,)
16 Defendant.)
17 _____)

18 This matter came before the court for a status conference on
19 June 1, 2005, at 9:30 A.M. The United States was represented by
20 Assistant U.S. Attorney Jason Hitt; the defendant was represented
21 by appointed counsel Gilbert Roque, Esq. The defendant was
22 present in custody and utilized the services of a previously-
sworn Spanish-language interpreter.

23 Mr. Roque indicated to the court that additional time was
24 needed to allow the parties to continue negotiating a resolution
25 in this case. Specifically, Mr. Roque stated that he was in
26 discussion with the prosecutor regarding an issue under the
27 defendant's adjusted offense level under the United States
28 Sentencing Guidelines. Mr. Hitt joined defense's counsel request

1 for additional time for preparation of counsel. The parties
2 asked that the matter be set for a further status conference and
3 that time be excluded under the Speedy Trial Act from June 7,
4 2005, until the time of the next status conference.

5 Based upon the representations by counsel and the
6 stipulation of the parties, the court ordered that a further
7 status conference be held on June 7, 2005, at 9:30 A.M. and time
8 be excluded time under those provisions of the Speedy Trial Act
9 relating to reasonable time to prepare. 18 U.S.C.
10 § 3161(h)(8)(B)(iv); Local Code T4. The court directed
11 government counsel to prepare a formal order.

12 Therefore, **IT IS HEREBY ORDERED** that:

13 1. Status Conference is set for June 7, 2005, at 9:30
14 A.M.;

15 2. Based upon the above representations and stipulation of
16 the parties, the court finds that the ends of justice outweigh
17 the best interest of the public and the defendant in a speedy
18 trial. Accordingly, time under the Speedy Trial Act shall be
19 excluded through June 7, 2005.

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21 IT IS SO ORDERED.

22 Date: June 7, 2005.

23 /s/Lawrence K. Karlton
24 LAWRENCE K. KARLTON
25 SENIOR DISTRICT COURT JUDGE
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